

Philip J. McCabe (SBN #201092)
KENYON & KENYON
333 West Carlos St., Suite 600
San Jose, California 95110
Tel: (408) 975-7500
Fax: (408) 975-7501
pmccabe@kenyon.com

Richard L. DeLucia
Charles A. Weiss
KENYON & KENYON
One Broadway
New York, NY 10004
Tel: (212) 425-7200
Fax: (212) 425-5288
rdelucia@kenyon.com
cweiss@kenyon.com

Attorneys for Third-Party GCA Savvian Advisors, LLC

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

In re: Third Party Subpoena Issued to GCA Savvian Advisors, LLC	) Misc. Action No. 08-80161 SI
	) Related to 2:07cv589 (RGD-FBS)
	) In the United States District Court for
Related to:	) The Eastern District of Virginia
LEVEL 3 COMMUNICATIONS, INC.)
	) Third Party GCA Savvian Advisors, LLC's
Plaintiff,	) Motion For Administrative Relief - Request
	) To Participate by Telephone in September 3,
v.	) 2008 Hearing on Plaintiff's Motion to Compel
	) Compliance with Subpoena On Third-Party
LIMELIGHT NETWORKS, INC.	) GCA Savvian Advisors, LLC Pursuant to
	) L.R. 7-11; Proposed Order
)
	) DATE: September 3, 2008
Defendant.	) TIME: 11:30 a.m.
	) JUDGE: Hon. Susan Illston
	) CTRM: 10
)

1 **PLEASE TAKE NOTICE** that, pursuant to Civil L.R. 7-1, Third-Party GCA Savvian
2 Advisors, LLC (“Savvian”) hereby respectfully moves the Court to grant Savvian’s request to
3 participate by telephone in the September 3, 2008 hearing for Plaintiff’s Motion to Compel
4 Compliance with Subpoena on Third-Party GCA Savvian Advisors, LLC. Pursuant to Civil L.R.
5 7-11(c), unless otherwise ordered, this Motion for Administrative Relief is deemed submitted for
6 immediate determination without hearing after it is filed.
7

8 This motion is made on the following grounds:

9 1. Plaintiff Level3 Communications, LLC's Motion to Compel Compliance with
10 Subpoena on Third-Party GCA Savvian Advisors, LLC is scheduled for hearing on Wednesday,
11 September 3, 2008 at 11:30 a.m.

12 2. The undersigned has an oral argument on a motion to dismiss in another case in
13 the United States District Court, Northern District of California, San Jose Division the morning of
14 September 3, 2008. Also, Savvian’s lead counsel are located in New York and are preoccupied
15 preparing for a September patent trial in Texas.
16

17 3. Pursuant to Civil L.R. 7-12 counsel for plaintiff and Savvian have conferred and so
18 stipulate and agree that counsel for Savvian may appear telephonically at the September 3, 2008
19 hearing. Counsel attests that David Bloch, counsel for plaintiff, concurs with the filing of this
20 Motion.
21

22 Therefore, Savvian requests that the Court grant leave for Savvian’s lead counsel in New
23 York to participate in the September 3, 2008 hearing telephonically.
24
25
26

1
2
3 Dated: August 29, 2008
4

Respectfully submitted,

5 /s/ Philip J. McCabe
6 Philip J. McCabe (SBN #201092)
7 KENYON & KENYON LLP
8 333 West Carlos St., Suite 600
9 San Jose, California 95110
10 Tel: (408) 975-7500

Attorneys for GCA Savvian Advisors, LLC

11 /s/ David S. Bloch (signed with permission)
12 David S. Bloch
13 Winston & Strawn
14 101 California Street, Suite 3900
15 San Francisco, CA 94111-5894
16 (415) 591-1000

Attorneys for Plaintiff
Level3 Communications, LLC
17
18
19
20
21
22
23
24
25
26

ORDER

Based on the foregoing motion for administrative relief, and the facts set forth therein, the Court finds good cause for entry of the Order requested by Third-Party GCA Savvian Advisors, LLC.

NOW, THEREFORE, IT IS HEREBY ORDERED that Savvian's lead counsel is granted leave to participate in the September 3, 2008 hearing concerning plaintiff Level3's motion to compel by telephone.

Dated: _____

United States District Judge
Hon. Susan Illston

Third Party GCA Savvian Advisors, LLC's Motion For Administrative Relief – Request To Participate by Telephone in the September 3, 2008 Hearing on Plaintiff's Motion to Compel Compliance with Subpoena On Third-Party GCA Savvian Advisors, LLC Pursuant to L.R.7-11; Proposed Order; Misc. Action No. 3:08-mc-80161-SI
Related to: Civil Action No. 2:07cv589 (RGD-FBS) (E.D. Va.)

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing documents upon the following counsel by email on August 29, 2008.

Third Party GCA Savvian Advisors, LLC's Motion For Administrative Relief – Request To Participate by Telephone in the September 3, 2008 Hearing on Plaintiff's Motion to Compel Compliance with Subpoena On Third-Party GCA Savvian Advisors, LLC Pursuant to L.R.7 11; Proposed Order

David S. Bloch
Leda M. Mouallem
Winston & Strawn
101 California Street, Suite 3900
San Francisco, CA 94111-5894
dbloch@winston.com
lmouallem@winston.com

Charles B. Molster, III
Winston & Strawn LLP
1700 K Street, NW
Washington, DC 20006
cmolster@winston.com

Michael C. Katchmark
Willcox & Savage PC
One Commercial Place, Suite 1800
Norfolk, VA 23510
mkatchmark@wilsav.com

_____/s/_____
Abraham Ronai

Third Party GCA Savvian Advisors, LLC's Motion For Administrative Relief – Request To Participate by Telephone in the September 3, 2008 Hearing on Plaintiff's Motion to Compel Compliance with Subpoena On Third-Party GCA Savvian Advisors, LLC Pursuant to L.R. 7-11; Proposed Order; Misc. Action No. 3:08-mc-80161-SI